



## ORDINANCE NUMBER 2542

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; SO AS TO GRANT A SPECIFIC USE PERMIT FOR A FULL SERVICE FUNERAL HOME LOCATED AT 2710 VALLEY VIEW LANE APPROXIMATELY 250 FEET EAST OF THE SOUTHEAST CORNER OF VALLEY VIEW LANE AND TOM FIELD ROAD AND WITHIN THE OFFICE ZONING DISTRICT; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance as amended; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and



WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:**

**SECTION 1.** That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit for a full service funeral home located on a 1.28 acre tract of land approximately 250 feet east of the southeast corner of Valley View Lane and Tom Field Road, specifically addressed as 2710 Valley View Lane, and within the Office zoning district.

**SECTION 2.** That the use shall be conducted in strict accordance to the plan of operation, file-dated April 18, 2000.

**SECTION 3.** That the proposed masonry fence shall be architecturally compatible with the main building.

**SECTION 4.** That a lighting plan for the site shall be provided and subject to administrative approval, prior to issuance of any building permits. A maximum of 0.5 foot-candle of light intensity at the residential property lines, and a maximum of 2.5 foot-candles of light intensity along the Valley View Lane right-of-way line and the adjacent commercial property lines shall be permitted.

**SECTION 5.** That no outside storage is permitted. Any biohazard materials shall transported from the premises by certified carriers.

**SECTION 6.** That the site's five lots shall be replatted into a single lot prior to the issuance of any building permits.

**SECTION 7.** That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended by the granting of a specific use permit and approval of an associated site plan for a full service funeral home to be constructed, situated and located in accordance with the approved site plan attached as Exhibit "A", file dated May 3, 2000 and subject to all conditions stated herein.

**SECTION 8.** If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

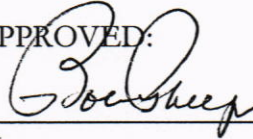
**SECTION 9.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of two-thousand (\$2,000.00) dollars for each offense.

**SECTION 10.** In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

**SECTION 11.** This ordinance shall take effect immediately from and after its passage as the law in such case provides.

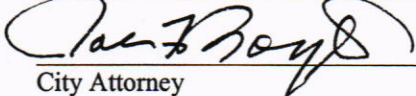
**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 15<sup>th</sup> day of May, 2000.**

APPROVED:



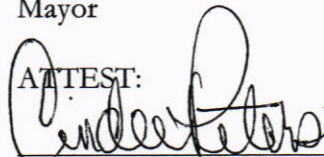
Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Secretary





## Memorandum

**From:** Jim Sellards, Community Services

**Date:** 08/12/2003

**Re:** Ordinance No. 2542—Typographical Errors

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The original file copy of Ordinance No. 2542 (contained herein and marked with an "X") contained scrivener's errors consisting of the phrase "non drive-in restaurant with outside sales window" and misnumbering of Section 6 through Section 10 with two Section 6's. These errors have been corrected in a new signed copy (also contained herein) with the phrase "full service funeral home" and renumbering of the errantly numbered sections from Section 6 to Section 11.

**From:** "Boyle, Matthew" <MCGBoyle@boyle-lowry.com>  
**To:** 'JIM SELLARDS' <JIM.SELLARDS@farmersbranch.info>  
**Date:** 08/04/2003 6:29:30 PM  
**Subject:** RE: correct scrivener's error - Ord. 2542

Jim,

Based on the clear typo contained in the document being referred to as Ord 2542, it would be permissible to replace the document with a corrected draft to replace the term "drive-in restaurant with outside sales window" with "full service funeral home. In doing so, the revised, corrected Ordinance must be executed and the file should include a note clarifying this replacement. This option is available to the City because it is consistent with the caption of the Ordinance, all notices for this case, and the intent of the P&Z/Council in approving this zoning case. It is an unusual process which should NOT be utilized on a regular basis.

In the event you have any additional questions, please let me know.

Matthew C. G. Boyle  
Boyle & Lowry, L.L.P.  
4201 Wingren Plaza  
Suite #108  
Irving, TX 75062  
(972) 650-7104 Office  
(972) 650-7105 Facsimile

-----Original Message-----

From: JIM SELLARDS [mailto:JIM.SELLARDS@farmersbranch.info]  
Sent: Monday, August 04, 2003 10:10 AM  
To: MATTHEW BOYLE  
Cc: KAIZER RANGWALA  
Subject: correct scrivener's error - Ord. 2542

Matthew,

In checking the ordinance for the John Brooks Funeral Home to see if any reference to a crematorium was made in it, we discovered a scrivener's error in the ordinance.

Please review the attached and original versions and let us know if it is OK to go ahead and have the corrected version signed. The affected section numbers and text are double underlined in both versions.

Does any note of the re-signing, or do any other changes need to be made on the corrected version.

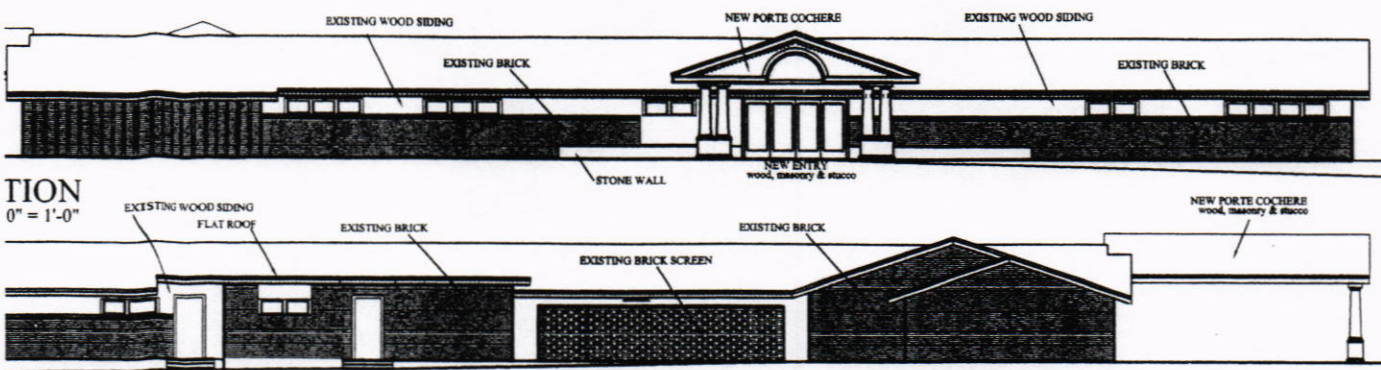
Thanks,  
Jim S.

**CC:** KAIZER RANGWALA <KAIZER.RANGWALA@farmersbranch.info>





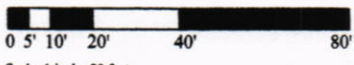




SECTION  
0" = 1'-0"

SECTION  
0" = 1'-0"

### Site Plan



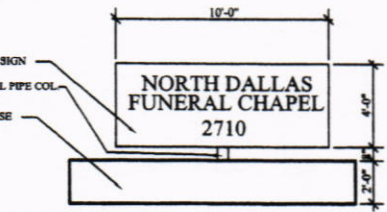
Scale: 1 inch = 20 feet

Total Area of Site:	55,995.767 sf	1.28 ac.
Total Floor Area Ratio:	7.14:1	
Total Impervious Cover in S.F.	45,357 sf	
Percentage of Site covered by Impervious Cover	81%	
Total Building Coverage	7,905 sf	
Number of stories:	One	
Building Height:	15 ft	
Foundation Type:	Concrete Slab	
Total Square Footage	7,905 sf	
In-Line Parking	40 spaces (9 x 20')	
Typ. Parking Spaces (5 employee)	26 Spaces (9 x 18)	
Employee parking	5 Spaces (9 x 18)	
Total Parking	71 Spaces	
% Masonry	83%	

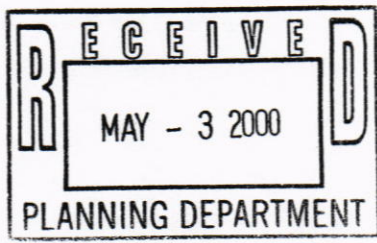
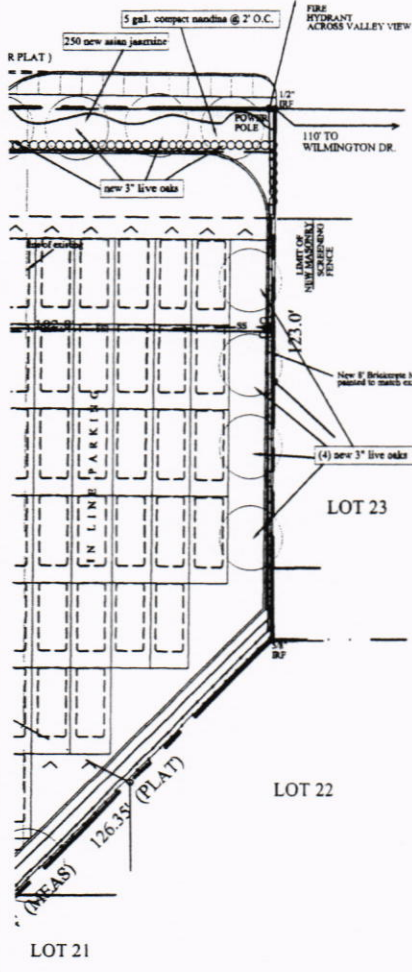
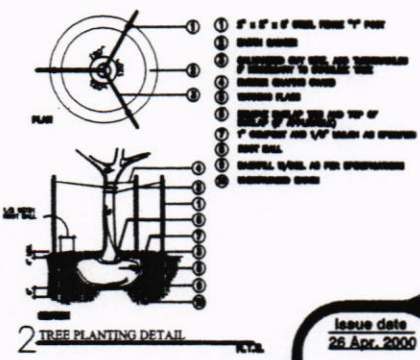
Lot 24-28, Block C, of the Farmersdell Addition  
Dallas, Texas Dallas County  
Plat recorded in Volume 17, Page 377 Records in Dallas County, Texas

Property Owner: The John P. Brooks Family Corporation.  
Address: 222 E. Colorado Blvd.  
Dallas, Texas 75203  
Telephone Number: (214)943-6000 Fax: (214)943-1737

Note: All landscaping shall be automatically irrigated.



Existing Sign Pylon  
SCALE: 1/4" = 1'-0"



### Site Location Map

Application for  
Specific Use Permit  
NORTH DALLAS FUNERAL CHAPEL  
2710 Valley View Lane  
Farmers Branch, Texas

Issue date  
26 Apr. 2000



calvert & co./architects, inc.  
1001 W. Main  
carrollton, tx. 75006  
(214)446-0493

sheet  
A1  
3E

Exhibit "A"  
Page 2 of 2